

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes July 13, 2007

A meeting of the Planning Commission of the City of Saint Paul was held Friday, July 13, 2007, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Donnelly-Cohen, Faricy, Morton; Wencil; and Messrs. Alton, Barrera, Commers, Cudahy, Goodlow, Gordon, Johnson, Kramer, Margulies, Nelson, Rosemark, and Spaulding.

Commissioners Absent: Mmes. *Lu, *McCall, *Porter, *Smitten, and Mr. *Bellus
*Excused

Also Present: Larry Soderholm, Planning Administrator; Anne Hunt, Mayors Office, Lucy Thompson, Donna Drummond, Patricia James, Shawntera Hardy, Jessica Rosenfeld, Luis Pereira, Christina Danico, Andrew Jacobson, Jacob Rife, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes June 29, 2007.

MOTION: *Commissioner Kramer moved approval of the minutes of June 29, 2007. Commissioner Spaulding seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Alton announced that Commissioner Smitten had a baby girl on July 7, 2007. Her name is Adeline L. Smitten. Mr. Alton passed a card around for the Commissioners to sign.

III. Planning Administrator's Announcements

Larry Soderholm reported on planning-related business at the City Council for last week and their agenda for next week.

IV. PUBLIC HEARING: Central Corridor Development Strategy – Item from the Comprehensive Planning Committee. (*Donna Drummond, 651/266/6556*)

Chair Alton announced that today the City of Saint Paul Planning Commission is holding a public hearing on the Central Corridor Development Strategy and that notice of the public hearing was published in the Saint Paul Pioneer Press on June 30, 2007.

Donna Drummond, PED, gave a brief presentation. Ms. Drummond talked about the process they have gone through to develop these recommendations. In mid 2006, Mayor Coleman asked the Planning Commission to establish two community-based task forces to prepare the Central Corridor Development Strategy, which is a vision and set of strategies for how University Avenue, the Capitol area and downtown should grow and change over the next 20 to 30 years in response to the investment in LRT. The two task forces have been working over the past year and have done a tremendous amount of great work. The document is now before the Planning Commission for a public hearing and formal public comment.

Commission Faricy asked the question, do you allow for parking at the stations?

Ms. Drummond responded saying that question comes up quite often. How are people going to get to the line, where will they park when they arrive? The development strategy does not envision a lot of park and ride lots, but it does recommend that the City work on a parking management strategy and that is something we will be working on. In general, the City's approach has been that we do not want to have valuable land next to stations devoted to surface parking or structured parking that is just for park and rides. It may make sense to look at some shared use parking opportunities. It is something the staff will look at in more depth in the coming year.

Chair Alton read the rules of procedures for the public hearing.

The following people spoke:

1. Susan Kimberly a consultant to the Saint Paul Area Chamber of Commerce. 401 Robert Street, St. Paul, MN 55101. The Chamber is a long-standing advocate for Light Rail Transit (LRT) in the Central Corridor. The Central Corridor Development Strategy envisions high density, high quality commercial, residential, manufacturing and retail development along University Avenue and in the City's central core. This new development has the potential to create jobs, generate taxes, and enhance the neighborhoods in the City for generations to come. The Strategy recognizes that there are several distinct areas along University Avenue and that each of them presents different development challenges and opportunities and some of them call for protection rather than redevelopment, not just for residential, but also industrial areas along the Corridor.

The Chamber supports the Development Strategy and looks forward to working with the City to further refine this plan and assist with implementation. However, the Chamber has some very specific concerns and reservations about some things in the Strategy. First, LRT is not expected to be in operation until 2014. The economic benefits of transit oriented zoning (TOZ) will not begin to accrue to businesses and property owners until after LRT is in operation. It seems reasonable that TOZ requirements – both interim and final – might be phased in over time rather than applied all at once.

Second, while LRT offers the potential for substantial economic development spin-offs there is no certainty that such spin-offs will occur. The economic development benefits require careful and thoughtful planning that incorporates economic realities along with new urbanist sensibilities.

Third, the Strategy's vision of a revitalized University Avenue will not be achieved through the promulgation of governmental regulations or the completion of land use plans. It will be fulfilled through private investment by a variety of businesses, investors and entrepreneurs. With the right balance between public regulation and private investment, the vision of the Strategy is achievable.

2. Paul Mandell, principle planner for the Capitol Area Architectural and Planning Board at the State Capitol, 50 Sherburne Avenue, St. Paul, MN 55155. Mr. Mandell indicated they have chosen to submit comments from their February 23, 2007, review of the draft for the Central Corridor, addressing the items in that review that are still applicable. In two cases there are recommendations for removal of surface parking near the Capitol. As a planner he supports the concept and idea of the need for transit. The two lots in question are on page 23 and page 61, and they both are public parking lots. The Capitol area is, if anything, short on public parking. During the legislative session the Capitol area is short on public parking and the public does need this parking. The CAAPB agrees with the concept, but has concerns about the implementation.

The plans for intense redevelopment for the Sears block, because of the height restrictions for that area, would permit building heights of approximately 80-85 feet for redevelopment. The Development Strategy recommends 6-8 story buildings for the Sears site. Mr. Mandell is not sure whether that would comply with the Capitol area zoning. The CAAPB is starting a new rewrite of its Zoning Ordinance this year. Right now, he has concerns whether that height can be implemented without variances or whether it should be foot-noted that under current zoning they might need variances. He is supportive of the recommendations for infill and removing surface parking and putting it into structured or underground parking. The CAAPB Comprehensive Plan is supportive of the concepts found in the Development Strategy for expansion of Western Park and the connection to the Capitol Mall.

Chair Alton asked Mr. Mandell if he will be able to work with City staff on the question of whether redevelopment of the Sears site would comply with the zoning requirements.

Mr. Mandell responded that City staff will be involved in the updating of the CAAPB's Zoning Ordinance and heights for the Sears block will be part of that review.

3. Brian McMahon, Executive Director of University UNITED, 1954 University Avenue, St. Paul, MN 55104. He said his organization supports this wonderful plan that Urban Strategies has brought forth. He wanted to frame his remarks in the context of "inputs vs. outputs". UNITED sees the Urban Strategies plan as a very wonderful input, which helps frame the future development of University Avenue. It is not an output; it does not build one building. It's a necessary step, but not sufficient. The proposed overlay zoning is also an input, no buildings will be built as a result of the overlay. Mr. McMahon referred to the handout that was distributed to the Planning Commissioners and pointed out the recommendation that discourages grade separation at any of the key crossings. That is a major point in Urban Strategies' report. Over the last week the County has had a serious conversation about a proposal to build a tunnel at Snelling and University. This is in complete conflict with the Urban Strategy recommendation. He said no one from the City stood up and said there is a conflict here. This underscores his concern that the plan

is great, but it is only an input and the City needs to make sure that it's somebody's job to enforce the plan. This is a big picture plan that looks at the University Avenue Corridor from five thousand feet up in the air. What is now needed is a micro plan looking closer to the ground. Also in the handout are excerpts from a letter from the Minnesota Department of Transportation (MNDOT) looking at specific plans for a variety of development projects at Snelling and University. MNDOT engineers are saying the City needs a plan. They cannot even get some review recommendations on the transportation impacts with regard to some of the proposed developments. In addition to transportation impacts there are a whole number of other kinds of impacts that are very critical to be resolved in the context of a plan for the Snelling University area.

He urged that any discussion of Walgreen's, Home Depot, a home improvement store or an east-west road that goes through there be done in the context of a serious development plan. And in the absence of a plan, he does not see how UNITED can go on record as saying they support this Urban Strategies plan for TOD, when what we are doing is continuing the path we've been on for over the last six years that he has been with UNITED. In the absence of this kind of a plan and this kind of implementation strategy, the community is not going to get to the output and desired goals that we need. The City needs to match the stated goals with the results on the ground. We need to identify proactive strategies that will get the job done.

4. Anne White, 1731 Portland Avenue, St. Paul, MN 55104. Ms. White appeared on behalf of District Councils Collaborative (DCC) of St. Paul and Minneapolis. The DCC strongly supports the vision of Saint Paul's Central Corridor Development Strategy and recommends its adoption. The DCC believes it provides an important framework to ensure that new development in the Central corridor will contribute to the success of the new light rail transit line and maximize the economic growth that will result from this billion dollar investment. She believes this is a first step in transforming Saint Paul into a leading 21st century city.

She pointed to the three aspects of the project that contributed to an outstanding result:

1. The makeup of the task force. A very diverse group of individuals, running the gamut of age, ethnicity, background, knowledge, and life experience.
2. The process used to produce the document. The task force co-chairs, the Urban Strategies consulting team and the PED staff alternated between listening to the concerns of the task force and community and proposing creative solutions that expanded our vision. They brought the task force up to speed on technical issues, so that it could evaluate complex questions and formulate balanced responses to shared concerns. When making decisions, they checked back frequently to be sure the language of the Development Strategy accurately captured the combined will of the task force.
3. The Development Strategy document itself. With the help of the consultants and PED staff, the task force has delivered an excellent document to guide the future development of Saint Paul. After just nine months of work, with extensive community engagement, we now have a Central Corridor Development Strategy we can be proud of.

5. Reggie Aligada, 1282 Blair Avenue, St. Paul, MN 55104. He served as a co-chair of the University task force. He thought of three words to sum this document up. It was a diverse process, an involved process and a visionary process. On the first count, as is apparent from the previous testimony, there was diversity represented both in the seats around the table and also in the people who attended the various meetings and open houses. The task force heard from a lot of people, specifically about the process. He got the sense from testimony and other comments that everyone “played nice.” The task force really got along, figured out how to debate and how to make decisions on important policy issues.

Second, it was an involved process. The attendance at community meetings was generally overflowing. The task force hosted two or three meetings per open house session. One of the Urban Strategies techniques for insuring people were communicating with the task force was to have them write on the boards. There was a lot of ink on the display boards after the open houses. The task force knew it was getting some involvement from the community comments.

Third, it was a visionary process. There is a document in front of the Planning Commission that is a lot of words and a lot of technical terms, but judging from the way people were asking questions about the specifics, they wanted to know what things would look like. The task forces have created a document that does put forth a vision. It is going to take some commitment to make that vision happen. The task forces are proud of this document and happy to hear people say that they think it is a good document. And they are here from many different blocks of the community. He supports this document fully and urges the Planning Commission to approve it.

6. Julie Causey, 2181 Doswell Avenue, St. Paul, MN 55108. Chairperson of Western State Bank and Task Force Business Co-Chair. She believes that the community has accomplished one major success in the process of creating the development strategy. It has gone from a place of being pretty good about articulating what it doesn’t want on University Avenue to being really good at articulating what it does want on University Avenue. This document reflects a terrific opportunity to focus on the positive, to focus on what will be helpful in terms of economic development on University Avenue. She believes we have an opportunity here, to create a place where we can provide an asset development opportunity for people in addition to an income development opportunity. There are people who own small businesses, and others who want to. There is an opportunity to get some of those people into business ownership, because there will be more people coming to University Avenue. This creates a development opportunity for families and residents in the area. In summary, she had two thoughts, one that accepting this development strategy is an opportunity for everyone to collaborate around what the community does want as opposed to the voices of dissension around individual development projects. Second, she feels the task forces have succeeded in having an inclusive process, they have succeeded in having just a bit of controversy, which was a huge creative problem solving opportunity and led to the result of a much more creative, much more detailed document. She is very supportive of the document and encouraged the Planning Commission to support it as well.

7. Joe Finley, 1157 Summit Avenue, St. Paul, MN 55115. He appeared on behalf of the

Midway Shopping Center. It is a great vision, but they have one objection. This is explained in a letter that Paula Maccabee has written for inclusion in the record. In the Development Strategy document there is a proposed zoning ordinance. That zoning ordinance is very restrictive. It includes a recommendation that no new buildings can be constructed in the area unless they are two stories. That is a restriction nowhere else in Saint Paul. On University Avenue we would be telling people they have to build two-story buildings. This is not going to encourage more market place development. It is going to discourage development. They think the plan is a great document. They ask that the Planning Commission delay action on the zoning ordinance, as it is a restrictive ordinance. Restrictions do not create more opportunity; they just dampen the opportunities that are out there. They hope everyone who looks at all the great things in this document will understand that the recommended ordinance would lead to a great amount of economic stagnation on University Avenue while the community waits for light rail transit.

Commissioner Gordon asked Mr. Finley if he could estimate the amount of two-story vs. one-story construction over the last five years.

Mr. Finley said he didn't have the information to answer that question.

Commissioner Gordon said that most of the developments we have seen over the past five years are two stories or more. He asked Mr. Finley if there were recent significant one-story developments along University Avenue.

Mr. Finley responded that the new SuperTarget would be an example and that larger retailers generally prefer one-story buildings, whereas housing and offices do well in multi-story buildings.

Commissioner Nelson reminded the Commission that Menards recently built a large two-story retail establishment on University Avenue. He observed that Midway Shopping Center is fifty years old and what is built today will probably still be standing fifty years from now.

8. Janice Rettman, Ramsey County Commissioner. 682 West Iowa Avenue, St. Paul, MN 55117. A hand out of Ms. Rettman's concerns was distributed. Ms. Rettman stated that she had the opportunity to attend many of the meetings held by both the University Avenue and Capitol/Downtown Task Forces and others hosted by neighborhood groups and the consultants. She met with PED staff and the consultants who impressed her as willing to try to incorporate the central themes they were hearing. She represents part of the Summit University area, the Rice Street area, all of Frogtown and part of the Midway area, which are affected by the proposed Development Strategy. She has specifically reviewed the entire document. She would like to make suggestions generally and specifically which should be considered as additions to the Development Strategy.

One of the central themes that must be addressed is those who have been there and those who are there in the community now. She wants them to survive and thrive long after the light rail transit has been built. For the Planning Commission's review she also attached a copy of the May 23, 2006, Resolution submitted by her to the Ramsey County Board of Commissioners and Met Council, identifying issues that should be addressed as part of

comments on the Central Corridor Draft Environmental Impact Statement. She has tried to identify those items that have to do with land use. Her comments are based on hundreds of hours talking personally with the residents and businesses within the corridor. Many of them use the 16A bus daily and are already transit-oriented, transit-dependent and transit-devoted. Her commitment is to continue to listen to the residents and to work with the City and the Met Council to assure that the folks who are currently living and working in the corridor will be there for years and years to come.

9. Paul Mohrbacher, 442 Summit Avenue, St. Paul, MN 55102. Employed with the Science Museum and served as co-chair of the Capitol/Downtown Task Force. At the Science Museum of Minnesota one of the questions was, what's not to like about the circular path for downtown, rather than the one that's been chosen? It would bring people right to the Museum's front door. What is the best alignment? That is what made the downtown task force discussion so exciting, that the task force could agree on a way the current alignment down Cedar Street and then Fourth Street over to the Union Depot could work for all downtown. The task force saw light rail transit as the beginning of a way to look at transit downtown in a much different way. The task force looked at transit as a mix of light rail transit and buses that serve both the central part of downtown and the perimeter of downtown as well. He urged the Planning Commission to accept and approve this document.
10. Vic Rosenthal, Director of the Jewish Community Action located on University Avenue. Mr. Rosenthal also has lived in the Summit University neighborhood for the past twenty years. He appeared on behalf of the University Avenue Community Coalition. The Coalition has very closely participated in the meetings of the Central Corridor Task Force. The meetings had ample opportunities for various community members and organizations to speak and participate. The document before the Planning Commission reflects a very good process and reflects some very important plans for the future. Plans are great, but how they are implemented is far more important. He proceeded to talk about a few of the major principles that are outlined in the plan and how they relate to some recommendations that the Coalition had made to the task force. First, in order to reposition Saint Paul in the region, there is going to have to be an overall Comprehensive Plan to make this work. The Coalition is supporting the proposed Interim Zoning Ordinance that is before the City Council. The Coalition thinks it is essential to make sure there is time to develop a permanent zoning that will really lead to stronger, more equitable development along the corridor.

The second principle, strengthening and benefiting the diverse communities along the corridor, is very important to the Coalition. Whatever kind of development is done, it needs to preserve and enhance the existing diverse community that is already there.

The third principle is linking and fostering economic activity. As light rail transit moves forward, we all need to be very careful about what is done to retain existing businesses. The community needs to look at opportunities for creating a mitigation fund and early acquisition fund and other opportunities to create wealth in the community.

The fourth principle is mobility through out the community. The City needs to be very careful that the kind of development that is done is actually consistent with transit oriented development. The way light rail transit is designed, in terms of where the stops

are located, is very important. The coalition has some serious concerns about the failure to put stops within the Summit University neighborhood at Western and Victoria. The failure to put stops there can hurt those communities as development moves forward. The Coalition encourages the continuation of community engagement and transparency in the way this document moves forward and how it is finally approved.

MOTION: *Commissioner Donnelly-Cohen moved to close the public hearing and refer the matter back to the Comprehensive Planning Committee. Commissioner Commers seconded the motion. The motion carried unanimously on a voice vote.*

V. Zoning Committee

NEW BUSINESS

#07-094-385 Juel Fairbanks Chemical Dependency Services – Conditional Use Permit to convert existing duplex to a transitional housing facility for 8 women residents. 816 Albert Street N, between Hewitt and Hubbard. (Jacob Rife, 651/266-6572)

MOTION: *Commissioner Morton moved the Zoning Committee's recommendation to approve the conditional use permit. The motion carried unanimously on a voice vote.*

#07-092-813 Shamrocks – Renewal of determination that the proposed outdoor restaurant is similar to an accessory outdoor restaurant. 1001 7th Street W, NE corner at Osceola. (Luis Pereira, 651/266-6591)

MOTION: *Commissioner Morton moved the Zoning Committee's recommendation to deny the renewal of determination. The motion carried unanimously on a voice vote.*

#07-095-904 David Levy – Rezoning from RM2 multiple family residential to OS office service. 2236 7th Street W, SE corner at Springfield. (Patricia James, 651/266-6639)

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to deny the rezoning. The motion carried on a vote of 14-1 (Kramer) and 1 abstention (Morton)*

#07-102-546 David Levy – Variance of minimum site size (2 acres required, 16, 120 sq. ft. available). 2236 7th Street W, SE corner at Springfield. (Patricia James, 651/266-6639)

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to deny the variance. The motion carried on a vote of 15-0 with 1 abstention (Morton)*

#07-099-246 Midway Shopping Center – Conditional Use Permit for drive through sales and service. 1460 University Avenue W, SE corner at Snelling. (Sarah Zorn, 651/266-6570)

There was discussion concerning whether this drive through would cause more auto traffic and if the backside will be a significant corner for a drive through. Also the site plan did not include a sidewalk. Based on item #4 in the conditional use permit, this development would impede the normal and orderly development of other adjoining partials within this area.

Patricia James clarified that the drive through met the requirements of the interim ordinance.

They could not build a drive through without getting a site plan approved. The site plan has not been approved. Under the zoning code, a conditional use is a permitted use provided that you meet the conditions.

There was concern about how this project as a whole relates to the interim overlay district. What is known about this project suggest that there are at least 4 provisions of that ordinance, which would be unmet in a significant way by this project. This matter should be considered with the other two cases, #07-099-317 and #07-096-674.

MOTION: Commissioner Commers moved to lay this case over to August 10, 2007, Planning Commission meeting, so that can be considered with the other two applications. Commissioner Gordon seconded. The motion carried on a vote of 15-1 (Margulies)

#07-099-317 Midway Shopping Center – Variance of 164 parking spaces (1095 spaces required, 931 proposed). 1460 University Avenue W, SE corner at Snelling. (Sarah Zorn, 651/266-6570)

Commissioner Morton reported that the Zoning Committee laid this case over to the July 19, 2007 meeting.

#07-096-674 Midway Shopping Center – Site Plan Review for Walgreen's and Big Top Liquors. 1460 University Avenue W, SE corner at Snelling. (Tom Beach, 651/266-9086)

Commissioner Morton reported that the Zoning Committee laid this case over to the July 19, 2007 meeting.

Commissioner Morton announced the Bridges of Saint Paul is on the agenda for Thursday, July 19, 2007 Zoning Committee meeting.

VI. Comprehensive Planning Committee

Chair Donnelly-Cohen announced that they had very good meeting this past week. They got a lot accomplished on the Critical Area. The next meeting will be on July 24, 2007 at 3:30 p.m. 13th floor, City Hall Annex.

Larry Soderholm, Planning Administrator announced that staff has a six-hour retreat on the Comprehensive Plan scheduled for Tuesday, July 24, 2007, 4th floor, Central Library. In August the staff will report on their progress to the committee.

VII. Neighborhood and Current Planning Committee

Chair Alton announced the next meeting has been canceled.

VIII. Communications Committee

None

IX. Task Force Reports

Commissioner Gordon announced the STAR Board did their bus tour last Wednesday and the

interviews are scheduled for July 25, 2007, at the Phalen Clubhouse. The ranking is on August 8, 2007.

X. Old Business

None

XI. New Business

None

XII. Adjournment

Meeting adjourned at 10:24 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,

Approved _____
(Date)

Larry Soderholm, AICP
Planning Administrator

Marilyn Porter
Secretary of the Planning Commission

PED\butler\flaming\July 13, 2007